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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 CARLOS DIAZ,

9 Petitioner,

Case No. C17-1412-RAJ

10 v.

11 STEPHEN SINCLAIR,

12 Respondent.

ORDER DISMISSING FEDERAL
HABEAS ACTION

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14 The Court, having reviewed petitioner's petition for writ of habeas corpus, the Report and
15 Recommendation of James P. Donohue, Chief United States Magistrate Judge, and the remaining
16 record, hereby finds and ORDERS:

17 (1) The Report and Recommendation is approved and adopted.

18 (2) Petitioner's petition for writ of habeas corpus (Dkt. 1-1) is DISMISSED without
19 prejudice for failure to exhaust state court remedies.

20 (3) Petitioner's application to proceed with this action *in forma pauperis* (Dkt. 1) and
21 his motion to expedite this proceeding (Dkt. 6) are STRICKEN as moot.

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ORDER DISMISSING FEDERAL
HABEAS ACTION - 1

1 (4) The Clerk is directed to send copies of this Order to petitioner and to the
2 Honorable James P. Donohue.

3 DATED this 20th day of December, 2017.

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7 The Honorable Richard A. Jones
8 United States District Judge
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